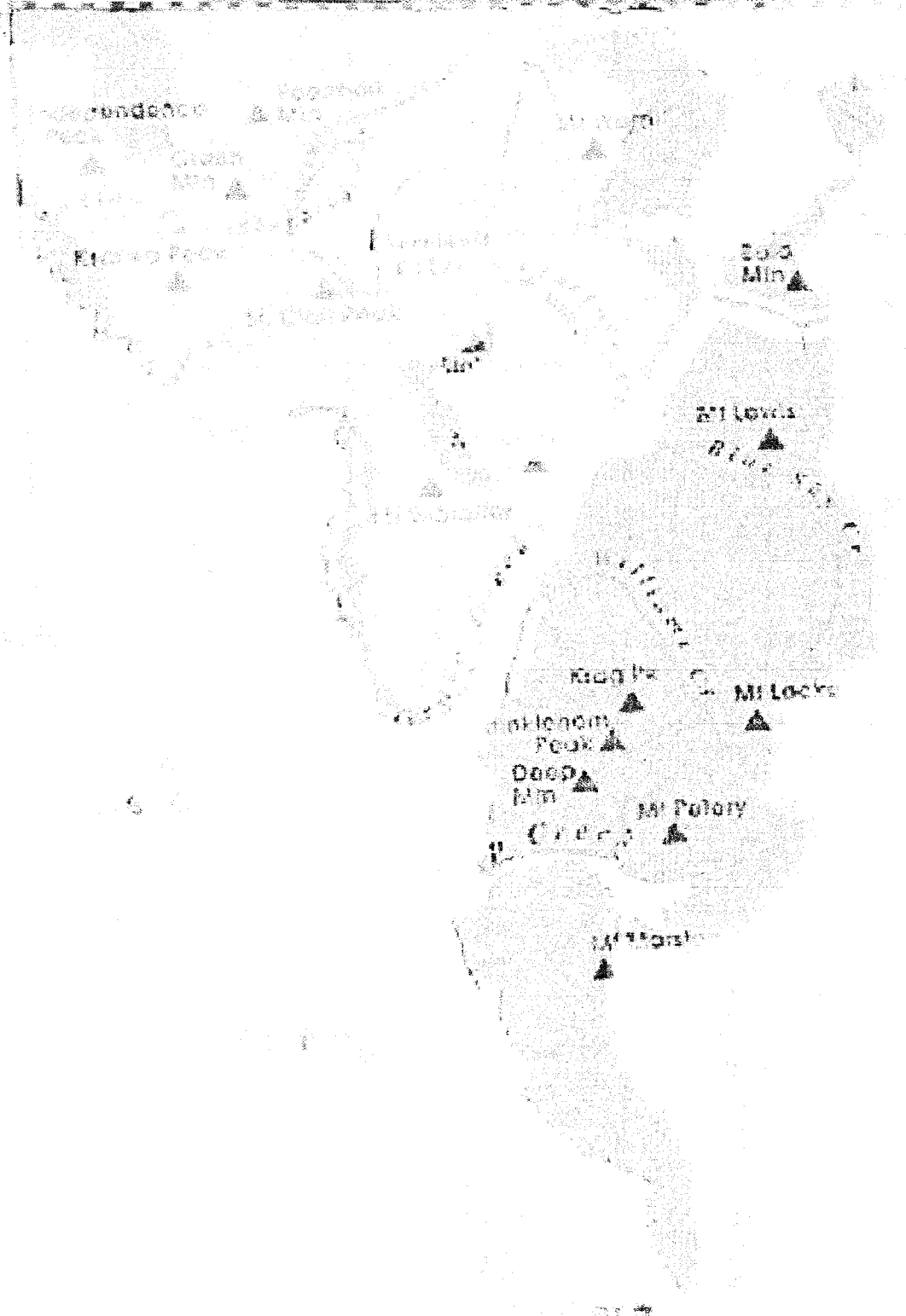


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# MONTANA WILDERNESS ASSOCIATION

## NATIONAL FOREST MANAGEMENT COMMITTEE 1988 WORK PLAN

**Objective:** By January 1, 1989, to insure each Forest Plan in Montana which MWA finds inadequate in its protection of wildlife, wild lands, watershed, aesthetics, non-motorized recreation and ecological diversity has been appealed either by MWA or other competent conservation parties. A positive alternative to the Plan will have been outlined, and all Forest activities not in conformance with the conservationists' alternative will have been stopped and/or made to conform with the alternative.

The following three major steps to accomplish the objective will be undertaken through the National Forest Watchdog Program instituted by the 1987 Council and will hence involve organizations and individuals not necessarily formally associated with MWA. MWA will either fund, coordinate with, intervene, or consolidate with such non-MWA appeals and efforts in order to accomplish the objective.

I. Appeal each non-conforming Forest Plan as it is issued and reviewed by the responsible watchdog(s).

A. List and request the Relief Sought. (This will form the basic outline of the alternative "plan".)

B. Requests "stays" under the Forest Plan Appeal in order to protect the Relief Sought. (Stop non-conforming activities.)

C. If the original stay request is denied:

1. Proceed to federal court for a "temporary restraining order" or "injunction" if the threat is significant and imminent and the organization(s) is prepared, or:

2. Reinstate the stay request when a particular project becomes an imminent threat, or if stay is denied:

3. Appeal the non-conforming project, area analysis or "sub-plan" (e.g. Travel Plan), and request a stay. If denied, go to C-1.

II. Conduct an Intensive Watchdog Workshop in February 1988. (This comes as Step II only because the FS has set the timing of Step I.)

A. The Watchdog Workshop (WW) will focus on bringing together experienced Forest activists and attorneys and new watchdogs needed to provide a minimum of 3 trained watchdogs per Forest.

B. The WW will provide written and personal instruction for watchdogs and provide for open exchange of ideas and approaches between watchdogs.

C. Preparations for the WW must begin immediately in order to arrange participants, travel and funding. The 1988 Council can approve or disapprove of this proposal at the December 1987 Council Meeting.



# MONTANA WILDERNESS ASSOCIATION

## ELEMENTS OF AN APPEAL

1. Evaluate the decision.
2. Define your arguments.
3. Prepare the documents.
4. Take stock of the situation.

### 1. EVALUATION.

- a. What's wrong with the decision; what don't you like?
- b. How bad is it?
- c. How could it be made OK?
- d. What's the best way to try to change it?
- e. Are there circumstantial consideration? (e.g., priorities, politics)

### 2. ARGUMENTS.

- a. State both what's wrong (ethically) and what's illegal (they may not be the same).
- b. Try to link what's wrong with what's illegal.
- c. Basic laws available are: NEPA, NFMA, ESA, APA, Exec. Orders (ORVs); plus their implementing regulations.
- d. Be exhaustive, imaginative, nit-picky, philosophical in coming up with arguments; the good ones will score, the bad ones will just get shot down.

### 3. DOCUMENTS.

- a. Procedural requirements (timing, boilerplate, rules of the game) - must observe these.
- b. Style & Format - whatever you want.
- c. Coordination - whether for single or multiple appellants, must have one person with overall responsibility for submitting documents.
- d. Signatures - FS seems remarkably lax about who signs for whom; not even clear that signatures are required!

### 4. RE-APPRAISAL.

- a. How good is your case?
- b. What resources (experts, volunteers, \$) are available?
- c. How far should you go?, and how deep should you go?

## IN SUPPORT OF SJR 21

WRITTEN TESTIMONY  
RHODA CARGILL, CHAIRMAN  
LINCOLN COUNTY NATURAL RESOURCE COUNCIL

My name is Rhoda Cargill, representing the Lincoln County Natural Resource Council. Our Council is advisory to Glen Lake Irrigation District in coordination with Federal agencies. Our membership includes 164 residents of the proposed Galton Project. We support SJR21 as submitted by Senator Curtiss.

### OVERVIEW:

The area now known as Ten Lake Wilderness Study Area has in past decades provided recreation and natural resources extraction opportunities. The Ten Lake area has supported; mining activities, timber harvest, roads for viewing, and a plethora of recreational activities.

In 1964 the Regional Forester established the Ten Lakes Scenic Area.

In 1977 the Ten Lake Scenic Area was designated as the Ten Lakes Wilderness Study Area (WSA), and additional acreage added increased the area to five times its original size.

Congress stated that these WSA's were to be studied for inclusion into Wilderness, and Congress set a time limit for this to happen; five years. That limit has been exceeded by more than two decades.

The U.S.F.S. has created a defacto wilderness without Congressional approval by their management of this area. Lack of active management in this area has created a host of problems; diseases and beetle infestations have created extreme fuel loads, as documented by the Interim Fire Suppression Committee. Other interests have closed roads through out this actively traveled area, thus making it impossible for disabled citizens to enjoy the area, and making it very difficult to access and attack small wildfires prior to their evolving into catastrophic wildfires.

## THE GALTON PROJECT:

Life long residents of the Tobacco Plains area have never heard of the "Galton Range". It is not a name familiar to the locals.

The Galton Project boundary contains nearly 170,285 acres, including over 42,905 acres of private property. The U.S.F.S. was asked in coordination meetings why they included private property, no discernable reason was given. The U.S.F.S. has continued to deny that the Galton Project will enhance the opportunity for designation of its area for Wilderness in the revised Forest Plan that has not been signed yet.

The composite map, attached, shows that the Wilderness Study Area and the Inventoried Roadless areas within the Galton Project are identical to the proposed Winton-Weydemeyer Wilderness in Lincoln County. This proposed Wilderness is a project of the Montana Wilderness Association.

Jim Rathbun, retired Kootenai National Forest Supervisor, is a good friend of mine. He has told me numerous times that the Ten Lakes Area never did have the wilderness qualities that the Wilderness Act required for lands to be designated as Wilderness.

The U.S.F.S. Draft Travel Analysis for the Galton Project recommends many roads for decommissioning because "they are in the Wilderness Study Area or they are in the Inventoried Roadless Area". How can roads exist in either?

We questioned the U.S.F.S., in coordination meetings, about how the boundary was chosen and the answers we continue to receive has no bottom. "It was based on watersheds". This was proven in error. "It was based on planning units" and this was proven wrong. "The Planning units are based on watersheds, well some are". We have never received a succinct, verifiable statement that explained the parameters used to define this boundary.

The Galton Project contains the entire watershed that Glen Lake Irrigation District (GLID) receives its water from. In fact, it contains all the private lands that GLID supplies water to for irrigation.

The Tobacco Valley is an arid portion of Lincoln County. GLID's water rights date back to 1896. It has been said that GLID is the life blood of the Tobacco

Valley. If this area becomes Wilderness, it will make it impossible for GLID to continue.

Why are we so interested in the boundary of this project?

1. It mirrors the Winton-Weydemeyer proposed wilderness
2. It mirrors the Crown of the Continent to be found in Lincoln County.
3. It defines the Northern Continental Divide Ecosystem for the grizzly bear in Lincoln County.
4. The WSA and the IRA are the grizzly bear core habitat.

When the U.S.F.S. was asked at a public meeting if they would consider designating the area as a Recreational Area, the response was a resounding NO.

#### WILDERNESS:

In 1991 Lincoln County supported a poll of its citizens in regards to additional wilderness. The results showed that 86% of the voters did not support additional wilderness.

It specifically asked the question about their support for continued snowmobiling activity in the Ten Lakes Wilderness Study Area. The results showed that 84% were in favor of maintaining snowmobiling in that area.

Prior to the Galton Project inception, John Gatchell of the Montana Wilderness Association speaks to the Galton Range. In an article titled, "Montana Wilderness Association Comments on Kootenai Public Participation Process" he refers to the Ten Lake Wilderness Study area as "defacto wilderness" and the inventoried roadless areas as "roadless islands".

John Gatchell knows that the USFS has created defacto wilderness out of a study area; only Congress has the authority to create wilderness.

#### SUMMARY:

The Galton Project analysis will be used as data to support this area as proposed wilderness in the revised Forest Plan for the Kootenai National Forest.

One only needs to look at the maps to understand the social and economic impact this will have to the County and the citizens of the area.

The National Environmental Protection Act (N.E.P.A.) main objective is to "protect the human environment". We are asking for your help to do that.

We are asking for you to support of SJR21.

Sincerely,

Rhoda Cargill, Chairman  
Lincoln County Natural Resource Council